

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

United States of America,	)	
	)	
	Plaintiff,	) No. 01-00074-01-CR-W-FJG
v.	)	
Steven J. Cullinane,	)	
	Defendant.	)

**ORDER**

Pending before the Court is the issue of defendant's competency. On January 5, 2006, Magistrate Judge Sarah W. Hays held a hearing regarding defendant's competency at which time the parties stipulated to a report prepared by the forensic staff of the Federal Medical Center in Forth Worth, Texas and signed by Randal Rattan, Ph.D. and Marti Carlson, Psy.D. That report concludes that defendant is presently competent to proceed.

Magistrate Judge Hays issued a report and recommendation (Doc. #25), filed January 19, 2006, finding that defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his own defense and that he is competent to stand trial. No objections to Magistrate Judge Hays' report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.  
United States District Judge

Dated: \_\_January 27, 2006\_\_\_\_  
Kansas City, Missouri